

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39202 of 2023

Arising Out of PS. Case No.-1436 Year-2020 Thana- COMPLAINT CASE District- Araria

MD KHALID @ KHALID SON OF ALAUDDIN RESIDENT OF
VILLAGE- CHANDRADAI, PS- ARARIA, (ARARIA R.S), DIST- ARARIA
... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. DILKASH PRAVEEN WIFE OF KHALID RESIDENT OF VILLAGE-
BARHAT, PS- PALASI, DISTRICT- ARARIA
... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Ramesh Kumar Singh,Advocate
For the State	:	Mr.Pradeep Narain Kumar,APP
for the Opp.Party 2	:	Mr.Gopal Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-12-2023 Earlier, vide order dated 19.08.2023, the matter was referred to District Mediation Centre, Araria, but as per report of D.L.S.A., Araria (flag 'Y'), the mediation has failed.

2. Heard learned counsel for the petitioner, State and complainant/O.P.-2.

3. The petitioner, husband of the complainant/O.P.-2, apprehends his arrest in a complaint case punishable for the offence under Section 498(A) of the Indian Penal Code and Section 3 / 4 of the Dowry Prohibition Act.

4. As per complaint case, this petitioner is alleged to have committed torture and harassment with the complainant/O.P.-2 due to non-fulfillment of demand of dowry.

5. Learned counsel for the petitioner submits that



petitioner is ready to give maintenance amount of Rs. 3,000/- (three thousand) per month, starting from this month, to complainant/O.P.-2.

6. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of ***Rs. 3,000/- (three thousand) per month to complainant/O.P.-2***, in the event of arrest/surrender within a period of six weeks from today, let the petitioner, above-named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Araria / concerned court in connection with Complaint Case No. 1436 C of 2020, subject to condition as laid down under Section 438(2) of Cr.P.C. with further following conditions:

“(A.) Complainant/O.P.-2 would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.

(B.) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the complainant/O.P.-2.

(C.) In case, the petitioner fails to deposit the maintenance amount for two consecutive months, the court below would be at liberty to cancel the bail bond.

(D.) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve



the issue otherwise.”

(Prabhat Kumar Singh, J)

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